

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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TRUSTEES OF THE NEW YORK CITY DISTRICT  
COUNCIL OF CARPENTERS PENSION FUND,  
WELFARE FUND, ANNUITY FUND, and  
APPRENTICESHIP, JOURNEYMAN  
RETRAINING, EDUCATIONAL AND INDUSTRY  
FUND, TRUSTEES OF THE NEW YORK CITY  
CARPENTERS RELIEF AND CHARITY FUND,  
the CARPENTER CONTRACTOR ALLIANCE OF  
METROPOLITAN NEW YORK, and the NEW  
YORK CITY DISTRICT COUNCIL OF  
CARPENTERS,

Petitioners,

22 **CIVIL** 468 (MKV)

-against-

**JUDGMENT**

ABAX INCORPORATED,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated August 30, 2022, finding no material issue of fact that would preclude confirmation of the arbitrator's award, the Court confirms the Award (\$15,113.15) in all respects, including the awarded 5.25% annual interest accrued on the Award from the date of the Award through the date of judgment, in the amount of \$1,174.01. Arbitration Award at 3. The applicable collective bargaining agreement further provides for an entitlement to reasonable attorneys' fees and costs incurred in this action. [See ECF No. 1-3, Article XV]. Counsel of record in this matter has provided an hourly accounting of time spent preparing the petition and filings for a total of \$1,240.00 in attorneys' fees and \$77 in costs. [ECF No. 1-8]. Finding the fees to be reasonable, the Court additionally awards attorneys' fees and costs in the amount of \$1,317.00. Petition paragraph 3341; see Trs. of the N.Y. City Dist. Council of Carpenters Pension Fund v. Dejl Sys., 2012 U.S. Dist. LEXIS 123143, at \*11 (S.D.N.Y. Aug. 29, 2012) ("In confirmation

proceedings, the guiding principle has been stated as follows: when a challenger refuses to abide by an arbitrator's decision without justification, attorney's fees and costs may properly be awarded.") (internal quotation marks omitted). Post-judgment interest will accrue at the statutory rate pursuant to 28 U.S.C. § 1961. Judgment is entered pursuant to Rule 58(a) of the Federal Rules of Civil Procedure; accordingly, the case is closed.

**Dated:** New York, New York  
September 2, 2022

**RUBY J. KRAJICK**

**BY:**

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**Clerk of Court**

*K. mango*

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**Deputy Clerk**